

## DISTRICT OF COLUMBIA REGULATIONS

- 7-234.1** Where there is no duty to bargain collectively, an employer who elects to implement a Safe Workplace Program for the purpose of obtaining a workers' compensation insurance premium reduction in accordance with Section 39 of the Act (D.C. Code §32-1538 (c)), shall file with the Office the following:
- (a) the name and address of the employer and the employer's federal tax identification number;
  - (b) the employer's insurer;
  - (c) written documentation demonstrating that the employer's Safe Workplace Program includes at least the following requirements for certification, including:
    - (1) a safety committee made up of equal numbers of management representatives and employee representatives who are elected by their peers and who serve in a paid status;
    - (2) a notarized certification signed by a corporate officer stating that the company has complied with the safe workplace program statutory requirements;
    - (3) a formal written safety policy developed by the safety committee;
    - (4) regular safety committee meetings with written records;
    - (5) a system for making recommendations to the employer on ways to eliminate workplace hazards and unsafe work practices;
    - (6) appropriate training in hazard assessment and control, effective accident and incident identification, and the role of the Federal and Local Occupational Safety and Health administrations; and
    - (7) annual workplace inspection.
- 234.2** Where there is a duty to bargain collectively, the employer shall collectively bargain the use and implementation of the Safe Workplace Program.
- 234.3** A Safe Workplace Program derived through the collective bargaining process shall be submitted to the Office for certification and must be accompanied by the requirements specified in this subsection.
- 234.4** Workplace inspections conducted by contractors or persons other than safety committee members and any training provided or to be provided shall be provided by a certified safety professional and must be appropriate to conditions in the work place. Persons other than safety committee members and any training provided or to be provided shall be provided by a certified safety professional and must be appropriate to conditions in the work place.
- 234.5** The name, address, certification number and certifying organization of the safety specialists providing the training must be submitted with the workplace safety program certification request.
- 234.6** Copies of any Safe Workplace Plan forwarded to the Office for certification pursuant to this section shall concurrently be forwarded to the employer's insurer for its review. The insurer shall forward any written comments or objections it may have to the Office and the employer within 25 days of its receipt of the Safe Workplace Plan. If the insurer does not forward comments or objections to the employer's plan to the Office, it shall be presumed that the insurer has no objections to the plan.
- 234.7** Within 30 days after receiving the proposed Safe Workplace Program, the Office or the Office's Designee shall review the program for compliance with the requirements provided herein and shall notify the employer that the program is in compliance or that the program is not in compliance. Where it is determined that the program is not in compliance, the notification shall set forth in detailed explanation of the determination.
- 234.8** The Office may request that employers participating in the Safe Workplace Program submit to the Office in a prescribed format information including, but not limited to, statistical data on accident rates, workers' compensation costs and workplace safety program implementation costs.